IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE Ms. JUSTICE G.ROHINI

WRIT PETITION No. 3343 of 2004

Between:

Smt.K.Shakuntala, w/o K.Sathyanarayana,
R/o Plot No.37, H.No.4-39-238, Hanumannagar,
Jagadgirigutta, Balanagar Mandal, Ranga Reddy District.

..... PETITIONER

AND

1 The Commissioner, Kukatpally Municipality,
Kukatpally, Ranga Reddy District.
2 The Vice Chairman, HUDA, Begumpet, Hyderabad-16.
3 Mandal Revenue Officer, Balanagar Mandal, Ranga Reddy District.
4 Smt.B.Laxmamma Yadav, W/o Late Chandra Mallaiah,
R/o H.No.4-39-227, Hanumannagar, Jagadgirigutta, Balanagar

Mandal, Ranga Reddy District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the proceedings of Respondent No.1 in ROC No.G1/1734/02 dated 28/07/02 as arbitrary, illegal and unjust and consequently direct the Respondent No.1 to remove the illegal encroachment made by Respondent No.4 on the public road in front of residential houses in plot No.37 & 38 in Sy.No.347 Hanumannagar, Jagadgirigutta, Kukatpally Municipality, Ranga Reddy District.

Counsel for the Petitioner : Mr.C.M.R.VELU

Counsel for Respondent No.1: Mr.R.TIMMA REDDY

Counsel for Respondent No.2: Mr.S.V.BHATT

Counsel for Respondent No.3: G.P. FOR REVENUE

The Court made the following :

ORDER:

Heard the learned counsel for petitioner as well as the respondents 1 to 3.

As can be seen from the material on record, the only grievance of the petitioner is that the respondents 1 to 3 failed to take any action in pursuance of the complaint made by the petitioner on 19.2.2002 alleging that the fourth respondent herein has encroached upon the municipal road. It is not in dispute that the first respondent vide letter dated 28.7.2002 informed the petitioner that they have already requested the Mandal Revenue Officer and the Vice Chairman, HUDA to furnish copies of HUDA approved layout in Survey No.347 and the list of pattas in Survey No.147 for verification of existing occupants and to find out the encroachments if any in the Government land for taking further action. The petitioner states that subsequently, the HUDA by letter dated 17.12.2002 furnished the approved layout to the first respondent, however, the first respondent has not taken any further steps so far. Hence this writ petition.

Having heard the learned counsel for both the parties and in the light of the material on record, without expressing any opinion with regard to the allegations made by the petitioner, the writ petition is disposed of with a direction to the first respondent to consider the representation of the petitioner dated 19.2.2002 in the light of the HUDA approved layout furnished by the second respondent vide letter dated

17.12.2002 and to take necessary further steps in accordance with law, as expeditiously as possible, after affording due opportunity to the fourth respondent and to all the parties concerned. There shall be no order as to costs.

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G.ROHINI, J

Date: 10.12.2004

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To

1 The Commissioner, Kukatpally Municipality,
Kukatpally, Ranga Reddy District.
2 The Vice Chairman, HUDA, Begumpet, Hyderabad-16.
3 Mandal Revenue Officer, Balanagar Mandal, Ranga Reddy District.

4 Two CCs to the G.P. for Revenue, High Court Buildings,
Hyderabad (OUT).

5 Two CD copies.